

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TAYLOR RAMER,
Plaintiff,

v.

COMMISSIONER OF SSA,
Defendant.

Case No. 19-cv-04570-SK

ORDER TO SHOW CAUSE

Regarding Docket No. 18

On January 10, 2020, the parties stipulated to an extension of time for Plaintiff to file her motion for summary judgment. (Dkt. 16.) The Court granted the extension, ordering that Plaintiff's motion for summary judgment would be due no later than February 13, 2020, and indicating that the extension would be the only extension granted in this case. (Dkt. 17.) On February 17, 2020, four days after the extended due date for Plaintiff's motion for summary judgment to be filed, Plaintiff's counsel again moved the Court for an extension of the due date until February 20, 2020. (Dkt. 18.) The only excuse Plaintiff's counsel gives is that "due to circumstances beyond her control, she was unable to timely file the summary judgment motion." (*Id.*)

The Court is aware that many attorneys in Social Security actions like the one at bar have overwhelmingly large caseloads. Nevertheless, Civil Local Rule 11-4(a)(1) requires attorneys practicing in this Court to "comply with the standards of professional conduct required of members of the State Bar of California." According to California Rule of Professional Conduct 1.3, a lawyer shall not "fail to act with reasonable diligence in representing a client." Reasonable diligence means that the lawyer "does not neglect or disregard, or unduly delay a legal matter entrusted to the lawyer." (*Id.*) Further, the administration of justice by the Court and fairness to the parties requires that the Court set and keep case schedules.

1 The Court FINDS that Plaintiff's counsel has not acted with reasonable diligence in failing
2 to either timely file Plaintiff's motion for summary judgment OR timely request a second
3 extension of time. The Court ISSUES AN ORDER TO SHOW CAUSE why sanctions in the
4 amount of \$200 should not be issued against Plaintiff's counsel. Plaintiff's response and motion
5 for summary judgment shall be due no later than February 24, 2020.

6 **IT IS SO ORDERED.**

7 Dated: February 18, 2020

8 
9 SALLIE KIM
United States Magistrate Judge